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4 Honorable Bruce A. Markell  
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8 United States Bankruptcy Judge

Entered on Docket  
April 26, 2013

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LIONEL SAWYER & COLLINS  
Rodney M. Jean, NBN 1395  
*rjean@lionelsawyer.com*  
Maximiliano D. Couvillier III, NBN 7661  
*mcouvillier@lionelsawyer.com*  
Ryan A. Andersen, NBN 12321  
*randersen@lionelswyer.com*  
300 South Fourth Street, Suite 1700  
Las Vegas, Nevada 89101  
Telephone: 702-383-8888  
Facsimile: 702-383-8845

Attorneys for Whitney Bank

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:  
MARCIA CARRERE,  
Debtor.

Case No.: 13-11728-BAM  
Chapter 7

**ORDER DETERMINING THAT (I)  
CERTAIN REAL PROPERTY IS NOT  
PROPERTY OF THE ESTATE AND  
(II) THE AUTOMATIC STAY UNDER  
11 U.S.C. § 362 IS INAPPLICABLE TO  
SUCH REAL PROPERTY**

Hearing Date: April 23, 2013  
Hearing Time: 2:30 p.m. Pacific Time  
Courtroom: 3

The Court, having considered the *Motion for Judicial Determination that (i) Certain Real Property Is Not Property of the Estate; and (ii) the Automatic Stay Under 11 U.S.C. § 362 Is*

1       *Inapplicable to Such Real Property* (the “**Motion**”) filed by Whitney Bank; having considered  
 2       any and all oppositions to the Motion; having conducted a hearing with respect to the Motion on  
 3       April 23, 2013 at 2:30 p.m. Pacific time, with Ryan A. Andersen of the law firm Lionel Sawyer  
 4       & Collins appearing on behalf of Whitney Bank and with other appearances noted on the record  
 5       of such hearing; having found good and sufficient cause for the relief requested in the Motion;  
 6       and having stated its findings of fact and conclusions of law on the record at the conclusion of  
 7       such hearing, pursuant to Fed. Rule Bankr. P. 7052, made applicable to this contested matter by  
 8       Fed. R. Bankr. P. 9014;

9               **NOW THEREFORE**, good cause appearing, the Court **ORDERS** as follows:

10               **IT IS HEREBY ORDERED** that the Motion is granted in its entirety;

11               **IT IS FURTHER ORDERED** that the certain real property located in St. Tammany  
 12       Parish, Louisiana, specifically described as Lot 5, Belle Terre Acres Subdivision, St. Tammany  
 13       Parish, Louisiana, is not property of the bankruptcy estate in the above-captioned bankruptcy  
 14       case; and

15               **IT IS FURTHER ORDERED** that the automatic stay imposed by 11 U.S.C. § 362(a) in  
 16       the above-captioned bankruptcy case does not apply and is inapplicable to such above-described  
 17       real property.

18               Respectfully submitted by:

19               **LIONEL SAWYER & COLLINS**

20       By:     /s/ Ryan A. Andersen  
 21               Rodney M. Jean, NBN 1395  
 22               Maximiliano D. Couvillier III, NBN 7661  
 23               Ryan A. Andersen, NBN 12321  
 24               300 South Fourth Street, Suite 1700  
 25               Las Vegas, Nevada 89101

26               *Attorneys for Whitney Bank*

27  
 LIONEL SAWYER  
 & COLLINS  
 ATTORNEYS AT LAW  
 1700 BANK OF AMERICA PLAZA  
 300 SOUTH FOURTH ST.  
 LAS VEGAS,  
 NEVADA 89101  
 (702) 383-8888

## **LR 9021 CERTIFICATION**

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that:

- The court has waived the requirement set forth in LR 9021(b)(1).
- No party appeared at the hearing or filed an objection to the motion.
- I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

**Counsel appearing:**

Unrepresented parties appearing:

Trustee: Victoria L. Nelson, Chapter 7 Trustee (Approved)

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of April, 2013.

By: /s/ Ryan A. Andersen

Ryan A. Andersen, NBN 12321

## LIONEL SAWYER & COLLIN

300 South Fourth Street, Suite 1700

Las Vegas, Nevada 89101

Attorneys for Whitney Bank

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